

**Louisville Metro Council
Final Agenda**

**METRO COUNCIL SUMMARY ONLY
DETAILED MINUTES TO FOLLOW ON THE 10/8/09 COUNCIL AGENDA**

<u>Members Roll Call:</u>	(D) - Judy Green (1) EXA Early (D) - David Tandy (4) (R) - Kenneth C. Fleming (7) (D) - Jim King (10) (D) - Vicki Aubrey Welch (13) (R) - Kelly Downard (16) (R) - Hal Heiner (19) (R) - Robin Engel (22) (R) - Doug Hawkins (25)	(D) - Barbara Shanklin (2) (D) - Cheri Bryant Hamilton (5) (D) - Tom Owen (8) (R) - Kevin Kramer (11) EXA (D) - Robert Henderson (14) EXA (R) - Glen Stuckel (17) (R) - Stuart Benson (20) (R) - James Peden (23) EXA Early (D) - Brent Ackerson (26)	(D) - Mary C. Woolridge (3) (D) - George Unseld (6) (D) - Tina Ward-Pugh (9) (D) - Rick Blackwell (12) (D) - Marianne Butler (15) (R) – Jon Ackerson (18) (D) - Dan Johnson (21) (D) - Madonna Flood (24)
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Meeting Date: 09/22/2009

Meeting Time: 6:00 PM

Location: 601 W. Jefferson Street
3rd Floor, City Hall
Louisville, KY 40202

President: David W. Tandy (4)

Pro-Tem: Dan Johnson (21)

A Quorum was established

Address to Council

There were 4 addresses to the Council.

1- [September 22, 2009 - List](#)

[Introduction of Page - CM Benson introduces Brielle Hoagland.](#)

[Guests: CW Ward-Pugh welcomes Michael O'Leary. CM Engel welcomes Councilman Jay McChord from Lexington Fayette Urban County Government.](#)

Council Minutes:

2- [Regular Council Minutes - September 10, 2009](#)

Motion to approve made by Jams Peden and seconded by Kelly Downard.

The Council Minutes were approved as written.

Committee Minutes

3- [Regular: Appropriations, NDFs and CIFs - September 17, 2009](#)

4- [Regular: Budget - September 16, 2009](#)

- 5- [Regular: Committee of the Whole - September 10, 2009](#)
- 6- [Special: Contracts and Appointments - September 15, 2009](#)
- 7- [Regular: Health and Human Needs - September 16, 2009](#)
- 8- [Regular: Labor & Economic Development - September 17, 2009](#)
- 9- [Regular: Government Accountability and Oversight - September 9, 2009](#)
- 10- [Regular: Planning/Zoning, Land Design & Development - September 15, 2009](#)
- 11- [Regular: AD Hoc Flash Flood of 2009 - September 9, 2009](#)

Motion to approve made by Mary C. Woolridge and seconded by Kelly Downard.

The Committee Minutes were approved as written.

- 12- [Appointments to Citizens Commission on Police Accountability: Dixie Suburban Fire Protection District.](#)

The Clerk read the Mayor's communications into the record. Those that require Council approval were assigned to the Contracts and Appointments Committee

[Consent Calendar:](#)

Consent Calendar consists of items 13 through 25. The Clerk read them into the record.

- 13- [AP091609FL APPOINTMENT OF FREDERICK LIGGIN TO THE BOARD OF ZONING ADJUSTMENT, TERM EXPIRES JUNE 30, 2011. \(Approved\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
- 14- [AP091609TC APPOINTMENT OF THELMA J. CLEMONS TO THE ETHICS COMMISSION, TERM EXPIRES JUNE 30, 2012. \(Approved\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
- 15- [R-175-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL CONTRACT - \(UNIVERSITY OF LOUISVILLE, SCHOOL OF NURSING - \\$290,364.00\). \(Resolution 173, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Vicki Aubrey Welch
- 16- [R-176-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING RENEWAL PROFESSIONAL SERVICE CONTRACT - \(UNIVERSITY OF LOUISVILLE SCHOOL OF PUBLIC HEALTH AND INFORMATION SERVICES - \\$131,201.00\). \(Resolution 174, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar

Committee: Contracts and Appointments
Primary Sponsor: Judy Green

17-

[R-178-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - \(LATONIA S. PETERS - \\$21,840.00\).](#) **(Resolution 175, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Mary C. Woolridge

18-

[R-180-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING AMENDMENT TO A NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT - \(CATHOLIC CHARITIES OF LOUISVILLE, INC. - \\$10,000.00, FOR A NEW NOT-TO-EXCEED AMOUNT OF \\$20,000.00\).](#) **(Resolution 176, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Dan Johnson

19-

[R-181-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - \(ANGEL RUBIO - \\$24,576.00\).](#) **(Resolution 177, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Dan Johnson

20-

[O-140-08-09 CONSENT AND AGREEMENT TO EXTENSION OF CONSTRUCTION FUND EXPENDITURE DATE FROM AUGUST 16, 2008 TO AUGUST 16, 2010 UNDER SECTION 5.05 OF TRUST INDENTURE BY AND BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. \(AS SUCCESSOR TO J.P. MORGAN TRUST COMPANY, NATIONAL ASSOCIATION\), AS TRUSTEE, AND AUTHORIZATION OF EXECUTION AND DELIVERY OF SUPPLEMENT NO. 1 TO TRUST INDENTURE, RELATED TO THE \\$13,910,000 LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT STUDENT HOUSING INDUSTRIAL BUILDING REVENUE BONDS \(ULH, INC. - UNIVERSITY OF LOUISVILLE, PHASE III PROJECT\), SERIES 2005A](#) **(Ordinance 139, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Budget
Primary Sponsor: Jim King

21-

[O-142-08-09 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 42, SERIES 2009, THAT AMENDED ORDINANCE NO. 126, SERIES 2007 AND ORDINANCE NO. 111, SERIES 2008, RELATING TO THE CAPITAL BUDGETS FOR FISCAL YEARS 2007-08, 2008-09, AND 2009-10 FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \\$1,230,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING BETWEEN DEPARTMENTS.](#) **(Ordinance 140, Series 2009)**

Status: On Council Agenda - Consent Calendar
Committee: Budget
Primary Sponsor: Mary C. Woolridge

22-

[O-145-08-09 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 91, SERIES 2009 RELATING TO THE FISCAL YEAR 2009-10 CAPITAL AND OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \\$12,000 FROM THE DISTRICT 12 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 12 NEIGHBORHOOD DEVELOPMENT FUND.](#) (Ordinance 141, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Budget
Primary Sponsor: Rick Blackwell

23-

[R-177-09-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND ENACT A GRANT FROM THE US ENVIRONMENTAL PROTECTION AGENCY \(EPA\) IN THE AMOUNT OF \\$200,000 FOR THE BROWNFIELDS ASSESSMENT AND CLEANUP COOPERATIVE PROGRAM TO BE USED BY THE LOUISVILLE METRO ECONOMIC DEVELOPMENT DEPARTMENT.](#) (Resolution 178, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

24-

[O-149-08-09 AN ORDINANCE APPROPRIATING \\$50,000 FROM THE DISTRICT 16 NEIGHBORHOOD DEVELOPMENT FUND THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO HISTORIC LOCUST GROVE, INC. FOR A SITE MASTER PLAN, PROVIDED THE FUNDS HEREIN ARE MATCHED AND RECEIVED BY LOCUST GROVE WITHIN TWO YEARS FROM THE DATE OF PASSAGE AND APPROVAL OF THIS ORDINANCE.](#) (Ordinance 142, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Kelly Downard

25-

[O-150-09-09 AN ORDINANCE APPROPRIATING A TOTAL OF \\$26,950 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \\$3,500 FROM DISTRICTS 24 AND 16, \\$2,100 FROM DISTRICTS 1, 2, AND 3, \\$4,200 FROM DISTRICT 25, \\$3,850 FROM DISTRICTS 13, AND \\$5,600 FROM DISTRICT 26 THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO THE CHILD CONNECTION, INC. TO CONDUCT THE STRANGER SAFETY PROGRAM IN VARIOUS ELEMENTARY AND MIDDLE SCHOOLS IN JEFFERSON COUNTY.](#) (Ordinance 143, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:

Madonna Flood
Vicki Aubrey Welch
Kelly Downard
Mary C. Woolridge
Barbara Shanklin
Brent Ackerson
Doug Hawkins
Judy Green

Motion to Approve made by Kelly Downard and seconded by Mary C. Woolridge.

The Consent Calendar passed.

VOTING RESULTS: For: 22; Against: 0; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

Old Business:

26-

[O-151-09-09 AN ORDINANCE APPROPRIATING \(\\$8,000\) \\$7,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \\$2,000 EACH FROM DISTRICTS 4, \(6\), 5 AND 1\(3\), AND \\$1,500 FROM DISTRICT 6, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO DANCE! KENTUCKY, INC. FOR PROGRAM EXPENSES. \(AS AMENDED\)](#)
(Ordinance 144, Series 2009)

Status: On Council Agenda - Old Business

Committee: Appropriations, NDFs and CIFs

Primary Sponsor:

David Tandy
George Unseld
Cheri Bryant Hamilton
Judy Green

Motion to Approve made by Kelly Downard and seconded by Mary C. Woolridge.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 20; Against: 0; Abstain: 0; Absent: 6

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson

Against: (None)

Abstain: (None)

Absent: Judy Green, Tina Ward-Pugh, Kevin Kramer, Robert Henderson, James Peden, Brent Ackerson

27-

[O-152-09-09 AN ORDINANCE APPROPRIATING \(\\$6,500\) \\$6,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \\$2,000 FROM DISTRICT 4; \(\\$1,500\) \\$1,000 FROM DISTRICT 3; \\$1000 EACH FROM DISTRICTS 6 AND 1, \\$500 FROM DISTRICT 25 AND \\$250 EACH FROM DISTRICTS 5 AND 13, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO BROWN COMMUNITY DEVELOPMENT CENTER, INC. FOR OPERATING EXPENSES ASSOCIATED WITH THE UNITYFEST PROGRAM \(AS AMENDED\).](#) **(Ordinance 145, Series 2009)**

Status: On Council Agenda - Old Business

Committee: Appropriations, NDFs and CIFs

Primary Sponsor:

David Tandy
Mary C. Woolridge
George Unseld
Judy Green
Doug Hawkins
Cheri Bryant Hamilton
Vicki Aubrey Welch
Barbara Shanklin

Cheri Bryant Hamilton

Motion to Approve made by Kelly Downard and seconded by Mary C. Woolridge

Motion to Amend by Adding \$1,000 from District 2 and \$250 from District 5 making the total \$7,250 made by Robin Engel and seconded by Tina Ward-Pugh.

The Floor Amendment passed.

This Ordinance as Amended in Committee and on the Floor passed.

VOTING RESULTS: For: 22; Against: 0; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

28-

[O-153-09-09 AN ORDINANCE APPROPRIATING \(\\$15,250\) \\$16,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \\$1,000 EACH FROM DISTRICTS 24, 6, 16, 25, 10, 21, 1, 5, 14, 13, 4, 15 AND 12; \\$500 EACH FROM DISTRICTS 23, 17, 22, 8, 3 AND 20 AND \\$250 FROM DISTRICT 26; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE COALITION FOR THE HOMELESS, INC. FOR EXPENSES ASSOCIATED WITH THOSE ATTENDING THE "STAND DOWN FOR HOMELESS VETERANS/PROJECT" FOR ITEMS SUCH AS CLOTHING, BLANKETS, BACKPACKS, ID CARDS, MEALS AND CARE PACKAGES. \(AS AMENDED\) \(Ordinance 146, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:

Madonna Flood
George Unseld
Kelly Downard
Doug Hawkins
Dan Johnson
James Peden
Glen Stuckel
Robin Engel
Judy Green
Cheri Bryant Hamilton
Tom Owen
Robert Henderson
Vicki Aubrey Welch
Mary C. Woolridge
Stuart Benson
David Tandy
Jim King
Rick Blackwell
Brent Ackerson
Marianne Butler
Barbara Shanklin
Jon Ackerson
Kenneth C. Fleming

Motion to Approve made by Mary C. Woolridge and seconded by Kelly Downard.

Motion to Amend by adding \$1,000 from District 2 and \$500 from District 18 making the total \$17,750 made by Robin Engel and seconded by Marianne Butler.

The Floor Amendment passed.

Motion to Reconsider made by Madonna Flood and seconded by Jim King. Motion to Reconsider passed.

Motion to Amend by adding \$500 from District 7 making the total \$18,250 made by Madonna Flood and seconded by Kelly Downard.

The Floor Amendment passed.

This Ordinance as Amended in Committee and on the Floor passed.

VOTING RESULTS: For: 22; Against: 0; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

29-

[O-154-09-09 AN ORDINANCE APPROPRIATING \(\\$71,500\) \\$84,500 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \\$6,000 FROM DISTRICT\(S\) 2\(, 12, 16 AND 15\), \\$4,000 FROM DISTRICTS 21 AND 26, \\$8,000 FROM DISTRICTS 5, 22 AND 11, \\$1,500 FROM DISTRICT 8, \\$2,000 FROM DISTRICT 20, \\$3,000 FROM DISTRICT 10, \(AND\) \\$10,000 FROM DISTRICTS 23 AND 12, \\$12,000 FROM DISTRICT 16 AND \\$5,000 FROM DISTRICT 15 THROUGH THE OFFICE MANAGEMENT AND BUDGET TO THE BLUE APPLE PLAYERS, INC. TO FUND PERFORMANCES IN LOUISVILLE METRO AREA ELEMENTARY SCHOOLS. \(AS AMENDED\) \(Ordinance 147, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:

James Peden
Cheri Bryant Hamilton
Barbara Shanklin
Tom Owen
Kevin Kramer
Rick Blackwell
Dan Johnson
Kelly Downard
Marianne Butler
Jim King
Robin Engel
Stuart Benson
Brent Ackerson
Mary Woolridge

Motion to Approve made by Mary C. Woolridge and seconded by Kelly Downard.

Motion to Amend by Substitution along with a friendly amendment to the substitution by adding \$4000 making the total \$85,500 from District 3 passed.

The Title by substitution is as follows:

AN ORDINANCE APPROPRIATING \$85,500 FROM THE FOLLOWING NEIGHBORHOOD DEVELOPMENT FUNDS, \$12,000 FROM DISTRICT 16, \$10,000 FROM DISTRICT 12 and 23, \$8,000 FROM DISTRICTS 5, 22 AND 11, \$6,000 FROM DISTRICT 2, \$5,000 FROM DISTRICT 15, \$4,000 FROM DISTRICTS 3, 21 AND 26, \$3,000 FROM DISTRICT 10, \$2000 FROM DISTRICT 20 AND \$1500 FROM DISTRICT 8 THROUGH THE OFFICE MANAGEMENT AND BUDGET TO THE BLUE APPLE PLAYERS, INC. TO FUND PERFORMANCES IN LOUISVILLE METRO AREA ELEMENTARY SCHOOLS. (AS AMENDED BY SUBSTITUTION)

The Amendment by Substitution making the total \$85,500 passed.

This Ordinance as Amended by Substitution passed.

VOTING RESULTS: For: 22; Against: 0; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

30- [O-155-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 3621 FERN VALLEY ROAD, CONTAINING A TOTAL OF 3.12 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 12608\).](#)
(Ordinance 148, Series 2009)

Status: On Council Agenda - Old Business

Committee Zoning

Primary Sponsor: Tom Owen

Motion to Approve made by Mary C. Woolridge and seconded by Stuart Benson.

This Ordinance passed.

VOTING RESULTS: For: 21; Against: 1; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Brent Ackerson

Against: Jon Ackerson

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

31- [R-145-08-09 A RESOLUTION PERTAINING TO 2009 SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS BY LOUISVILLE METRO GOVERNMENT. \(AS AMENDED\)](#) (Resolution 179, Series 2009)

Status: On Council Agenda - Old Business

Committee: Labor & Economic Development

Primary Sponsor:

Marianne Butler
Rick Blackwell
Vicki Aubrey Welch

Motion to Approve made by Kelly Downard and seconded by Mary C. Woolridge

Motion to Amend by striking the words “millions of” from the third Whereas of the resolution made by Robin Engel and seconded by Tina Ward-Pugh.

The Amendment passed.

This Resolution as Amended in Committee and on the Floor was Adopted.

VOTING RESULTS: For: 22; Against: 0; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

32-

[O-148-08-09 AN ORDINANCE AMENDING SECTIONS 40.40, 40.43, AND 40.45 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\] RELATING TO THE AFFORDABLE HOUSING TRUST. \[AS AMENDED\] \(Ordinance 149, Series 2009\)](#)

Status: On Council Agenda - Old Business

Committee: Health & Human Needs

Primary Sponsor:

Tina Ward-Pugh
Mary C. Woolridge

Motion to Approve made by Mary C. Woolridge and seconded by Dan Johnson.

Motion to Amend as follows made by Tina Ward-Pugh and seconded by Glen Stuckel.

Under Section II, page 2 of the ordinance, § 40.43(D) Last sentence after the word trust add in amounts not to exceed \$100,000 in any fiscal year. The Affordable Housing Trust Fund Board may request of the Louisville Metro Council, at any time, that this limit on administrative costs be modified or waived.

Under Section III, § 40.45(A) second sentence added The initial appointments shall be made by the Mayor within 90 days of the effective date of this ordinance. If the Mayor fails to make the initial appointments within this 90 day period, the mayoral appointments shall be made by the President of the Louisville Metro Council and are likewise subject to the approval of the Metro Council

Under Section III, § 40.45(A) strike the words ~~at least~~ two different places toward the end of the section.

Under Section III, § 40.45(A) last sentence added The Mayor, upon submitting a written statement to the Louisville Metro Council that appointments to the AHTF possessing these qualifications cannot be located within a required geographic area as set forth in this section, may appoint others with similar qualifications from such area.

Under Section III, § 40.45(A) Number 8 should read One representative of a non-profit developer, such as New Directions, Habitat for Humanity, or the Housing Partnership.

The Amendment passed.

This Ordinance as Amended in Committee and on the Floor passed.

VOTING RESULTS: For: 21; Against: 1; Abstain: 0; Absent: 4

For: David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Stuart Benson, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: Doug Hawkins

Abstain: (None)

Absent: Judy Green, Kevin Kramer, Robert Henderson, James Peden

New Business:

The Clerk read the New Business and their respective Committee assignments into the record.

33- [O-158-09-09 AN ORDINANCE APPROPRIATING \\$7,000 FROM DISTRICT 24 NEIGHBORHOOD DEVELOPMENT FUNDS \(NDF\), THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE OKOLONA BUSINESS & PROFESSIONAL ASSOCIATION, INC. FOR WATER, ELECTRIC AND ADDITIONAL CHRISTMAS DECORATIONS AT LONE OAK PARK, UNDER THE GUIDANCE OF BRIGHTSIDE.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Madonna Flood

34- [O-159-09-09 AN ORDINANCE APPROPRIATING \\$6,000 WITH \\$3,000 APIECE COMING FROM DISTRICTS 11 AND 26 NEIGHBORHOOD DEVELOPMENT FUNDS THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO THE HIKES POINT AREA BUSINESS ASSOCIATION FOR COSTS ASSOCIATED WITH THE EXPO BEING HELD ON SEPTEMBER 12, 2009.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Brent Ackerson
Kevin Kramer

35- [O-160-09-09 AN ORDINANCE APPROPRIATING \\$13,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN FOLLOWING MANNER: \\$2,500 FROM DISTRICT 9; \\$3,000 FROM DISTRICT 8; \\$1,500 EACH FROM DISTRICTS 15, 10, 4 AND 14; AND \\$1,000 EACH FROM DISTRICTS 6 AND 1, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE COMMUNITY DESIGN CENTER, INC. DBA CENTER FOR NEIGHBORHOODS SCHOLARSHIPS AND A METRO COUNCIL ANNUAL MEMBERSHIP SUBSCRIPTION.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: George Unseld
Judy Green
Jim King
David Tandy
Robert Henderson
Tina Ward-Pugh
Tom Owen
Marianne Butler

36-

[O-166-09-09 AN ORDINANCE APPROPRIATING \\$2,500 FROM THE DISTRICT 26 NEIGHBORHOOD DEVELOPMENT FUND THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO EXPLOITED CHILDREN'S HELP ORGANIZATION \(ECHO\) FOR CHILD ABUSE PREVENTION PROGRAMMING, WHICH PREVIOUSLY RECEIVED \\$4,450 FROM THE APPROPRIATIONS COMMITTEE ON SEPTEMBER 17, 2009.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Brent Ackerson

37-

[O-161-09-09 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009, RELATING TO THE CAPITAL BUDGET FOR FISCAL YEAR 2009-10 FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \\$3,000,400 OF AMERICAN RECOVERY AND REINVESTMENT ACT \(ARRA\) FUNDING BETWEEN CAPITAL PROJECTS.](#)

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

38-

[R-185-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – \(UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \\$59,500.00\).](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Mary C. Woolridge

39-

[R-186-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – \(DR. BRADLEY KEOUGH, D.V.M. - \\$100,000.00\).](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Vicki Aubrey Welch

40-

[R-187-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – \(University of Kentucky Research Foundation- \\$55,000.00\).](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Madonna Flood

41-

[R-188-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – \(UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \\$20,000.00\).](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Madonna Flood

42-

[R-190-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT – SARAH FRITSCHNER D/B/A BETTER WORLD PR- \\$60,000.00.](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Tom Owen

43-

[R-191-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - \(KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM/UNIVERSITY OF KENTUCKY COMMUNITY COLLEGE SYSTEM FOR JEFFERSON COMMUNITY COLLEGE - \\$85,000.00\).](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Jim King

44-

[R-193-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NEW NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT - \(CHILTON & MEDLEY - \\$35,000.00\)](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Madonna Flood

45-

[R-189-09-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A FEDERAL U.S. DEPARTMENT OF LABOR WIRED GRANT FROM THE LINCOLN TRAIL WORKFORCE INVESTMENT BOARD, THROUGH THE LINCOLN TRAIL AREA DEVELOPMENT DISTRICT, IN THE AMOUNT OF \\$60,000 FOR THE WIRED65 BUILD LOUISVILLE'S LOCAL FOOD ECONOMY PROGRAM TO BE USED BY THE LOUISVILLE METRO ECONOMIC DEVELOPMENT DEPARTMENT.](#)

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Madonna Flood

46-

[R-182-09-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A STATE GRANT FROM THE KENTUCKY AGRICULTURAL DEVELOPMENT BOARD IN THE AMOUNT OF \\$90,000 FOR A PUBLIC INTEREST BROKER TO INCREASE DIRECT FARMER ACCESS TO LOUISVILLE FOOD MARKETS TO BE USED BY THE LOUISVILLE METRO ECONOMIC DEVELOPMENT DEPARTMENT.](#)

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Tom Owen

47-

[R-183-09-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A \\$960,000.00 GRANT FOR A OLMSTED PARKWAYS MULTIUSE PATH SYSTEM PROJECT.](#)

Status: On Council Agenda - New Business
Committee: Transportation/Public Works

Primary Sponsor: Tom Owen

48-

[R-184-09-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A \\$515,200.00 GRANT FOR AN OLMSTED PARKWAYS SHARED USE PATH SYSTEM PROJECT.](#)

Status: On Council Agenda - New Business

Committee: Transportation/Public Works

Primary Sponsor: Tom Owen

49-

[R-192-09-09 A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION ON A PROPOSED AMENDMENT TO SECTION 2.4.3.D.2 OF THE LAND DEVELOPMENT CODE REGARDING PERMITTED DENSITY OF RESIDENTIAL DEVELOPMENT IN THE C-1, COMMERCIAL ZONING DISTRICT.](#)

Status: On Council Agenda - New Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor:
James Peden
Rick Blackwell

50-

[O-162-09-09 AN ORDINANCE CLOSING A PRIVATE ROAD, JEREMIE COURT, LOCATED ON THE EAST SIDE OF NATIONAL TURNPIKE, 450 FEET SOUTH OF THE OUTER LOOP, FROM ITS INTERSECTION WITH NATIONAL TURNPIKE, RUNNING EAST 199.97 FEET, CONTAINING 11.965 SQUARE FEET, AND BEING IN LOUISVILLE METRO \(CASE NO. 12589\).](#)

Status: On Council Agenda - New Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

51-

[O-163-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO R5-A MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 8113 AND 8117 CEDAR CREEK ROAD, CONTAINING A TOTAL OF 10.32 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 12253\).](#)

Status: On Council Agenda - New Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

52-

[O-164-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 9413, 9417, 9421 AND 9605 OLD BARDSTOWN ROAD AND TAX BLOCK 61, LOT 117, CONTAINING A TOTAL OF 8.6 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 11947\).](#)

Status: On Council Agenda - New Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

53-

[O-165-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 9205 OLD BARDSTOWN ROAD, CONTAINING A TOTAL OF 11.05 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 11946\).](#)

Status: On Council Agenda - New Business

Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

54-

[R-194-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – KENTUCKY WORLD TRADE CENTER INC. - \\$75,000.00.](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

55-

[R-195-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - \(LOUISVILLE AREA CHAMBER OF COMMERCE INC D/B/A GREATER LOUISVILLE INC. - \\$1,122,600.00\)](#)

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

Adjournment

Without Objection the Council Meeting Adjourned at 7:45 P.M.

Announcements

The following Council Members made announcements: CM Welch, CM Woolridge, CM Blackwell, CM Owen, and President Tandy.